



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2001-06:** Interpretive Opinion on ADAAG 4.1.2(5a), Accessible Sites and Exterior Facilities – Parking Spaces. Must employee parking at state or county fire stations be signed, marked and reserved? If county fire stations do not provide public parking must they provide an accessible parking stall for consumers wishing to have their blood pressure taken?

Summary: Accessible employee parking is required at county fire stations, parking is limited due to lot sizes, and the Fire Department provides free blood pressure testing to the public. The Access Board's position is that the ADAAG does not distinguish between lots or garages with assigned spaces and those without, so if assigned only to employees, accessible spaces are required and they shall be signed, marked, and reserved. Accessible spaces may be used by persons without disabilities when they are not needed by employees with disabilities. If the public is invited, then a parking space for them is required, especially for such a high-risk group coming for blood pressure testing. The Department of Justice refers to Section 504 of the Rehabilitation Act of 1973, where any program or activity receiving federal financial assistance must be accessible if built after 1973. They suggest that required signage can be covered with a hood when not used. Title II entities may programmatically have specific fire stations designated as the blood pressure testing locations, and therefore the accessible program. Fire stations are still required to be fully accessible, with no exemptions.

Ruling: For buildings or facilities subject to HRS § 103-50,

ADAAG 4.1.2(5a), Accessible Sites and Exterior Facilities – Parking Spaces

Employee parking at State or County fire stations must be accessible, signed, marked and reserved. If the public is invited, then accessible parking for them must be provided.

[Rul: 07/01] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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